

## **EXHIBIT B**

72

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

|                                 |   |                     |
|---------------------------------|---|---------------------|
| ROBERT SOKOLOVE, et al.,        | ) |                     |
|                                 | ) |                     |
| Plaintiffs,                     | ) |                     |
|                                 | ) |                     |
| v.                              | ) | Case No. 05-514-KAJ |
|                                 | ) |                     |
| CITY OF REHOBOTH BEACH, et al., | ) |                     |
|                                 | ) |                     |
| Defendants.                     | ) |                     |

STIPULATED CONSENT JUDGMENT AND ORDER

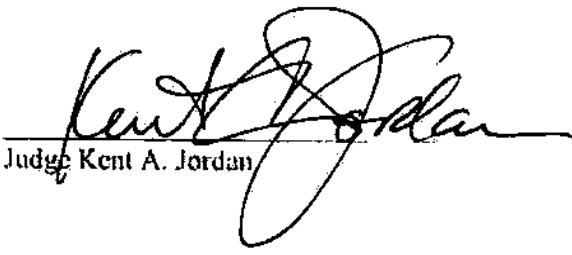
WHEREAS, plaintiffs Robert Sokolove, David McCarthy, William Shields and Citizens for Rehoboth Beach ("Plaintiffs") filed a Verified Complaint seeking damages and temporary, preliminary and permanent injunctive relief against defendants City of Rehoboth Beach, Delaware and Gregory Ferrese, the manager of the city (collectively, "Defendants"), alleging, among other things, that (i) City Ordinance § 74-16 ("Ordinance") is unconstitutional on its face; (ii) Defendants selectively enforced the Ordinance during a time period preceding an August 2005 municipal election and have continued in such selective enforcement since; and (iii) Defendants' selective enforcement of the Ordinance is unconstitutional and violated Plaintiffs' constitutional rights (the "Action"); and

WHEREAS, Defendants filed an Answer to the Verified Complaint denying (i) that the Ordinance is unconstitutional on its face; and (ii) that the Ordinance was enforced selectively or in a manner which violated Plaintiffs' constitutional rights; and

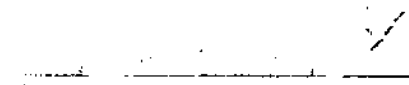
WHEREAS, subject to the approval of the Court, the parties wish to resolve the Action on the terms set forth in this Stipulated Consent Judgment and Order.

AND NOW, this 26<sup>th</sup> day of May, 2006, upon the consent of the parties, by and through their undersigned counsel, IT IS HEREBY ORDERED that:

1. Judgment is entered in favor of Plaintiffs;
2. Defendants shall pay Plaintiffs \$2,001.00;
3. Defendant City of Rehoboth Beach, Delaware shall adopt, on or before July 15, 2006, an ordinance ("New Ordinance") which sets forth and clarifies the manner in which the Ordinance will be enforced;
4. Once the New Ordinance is adopted, defendant City of Rehoboth Beach, Delaware shall change the manner in which it enforces the Ordinance only by amending the terms of the New Ordinance;
5. Defendants shall enforce the Ordinance (including the New Ordinance and any amendments thereto) in a consistent, non-selective manner;
6. Plaintiffs retain the right to apply to the Court for an award of costs and attorneys' fees pursuant to 42 U.S.C. § 1988;
7. Plaintiffs shall be considered "Prevailing Parties" for, including but not limited to, purposes of this Action and any application made pursuant to 42 U.S.C. § 1988; and
8. The Court shall retain jurisdiction over the parties and this Action for purposes of enforcing the terms of the Stipulated Consent Judgment and Order and determining any application for attorneys' fees or costs.

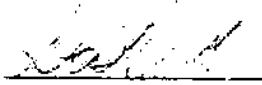
  
Judge Kent A. Jordan

WOLF, BLOCK, SCHORR and  
SOLIS-COHEN LLP

  
Shawn P. Tucker (#3326)  
Todd C. Schlitz (#3253)  
1100 North Market Street, Suite 1001  
Wilmington, DE 19801  
(302) 777-0312

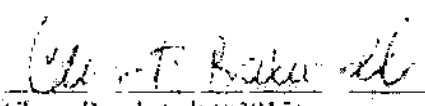
Attorneys for plaintiff  
Citizens for Rehoboth Beach

MARSHALL, DENNEFFEY, WARNER  
COLEMAN & GOGGIN

  
Daniel A. Griffith (#4209)  
1220 North Market Street  
Wilmington, DE 19801  
(302) 552-4317

Attorneys for defendants

MURPHY, SPADARO & LONDON

  
Chase Brockstedt (#3815)  
1011 Centre Road, Suite 210  
Wilmington, DE 19805  
(302) 472-8109

Attorneys for plaintiffs  
Robert Sokołove, David McCarthy  
and William Shields

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

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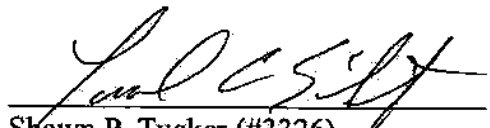
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Judge Kent A. Jordan

WOLF, BLOCK, SCHORR and  
SOLIS-COHEN LLP




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Shawn P. Tucker (#3326)  
Todd C. Schiltz (#3253)  
1100 North Market Street, Suite 1001  
Wilmington, DE 19801  
(302) 777-0312

Attorneys for plaintiff  
Citizens for Rehoboth Beach

MARSHALL, DENNEHEY, WARNER  
COLEMAN & GOGGIN

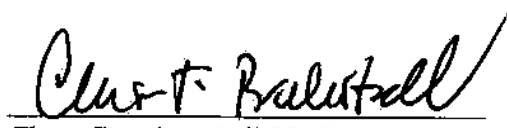


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Daniel A. Griffith (#4209)  
1220 North Market Street  
Wilmington, DE 19801  
(302) 552-4317

Attorneys for defendants

MURPHY, SPADARO & LANDON



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Chase Brockstedt (#3815)  
1011 Centre Road, Suite 210  
Wilmington, DE 19805  
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Attorneys for plaintiffs  
Robert Sokolove, David McCarthy  
and William Shields

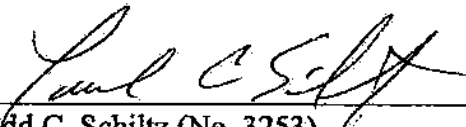
**CERTIFICATE OF SERVICE**

I, Todd C. Schiltz, hereby certify that on May 26, 2006, a copy of the Stipulated Consent Judgment and Order was served upon the following counsel of record:

**BY HAND-DELIVERY**

Daniel A. Griffith, Esquire  
Marshall, Dennehey, Warner, Coleman & Goggin  
1220 North Market Street, 5th Floor  
P.O. Box 8888  
Wilmington, DE 19899-8888

Chase Brockstedt, Esquire  
Murphy, Spadaro & Landon  
1011 Centre Road, Suite 210  
Wilmington, DE 19805

  
\_\_\_\_\_  
Todd C. Schiltz (No. 3253)

DATED: May 26, 2006

## Other Documents

1:05-cv-00514-KAJ Sokolove et al v. City of Rehoboth Beach Delaware et al

**U.S. District Court**

**District of Delaware**

### Notice of Electronic Filing

The following transaction was received from Schiltz, Todd entered on 5/26/2006 at 1:07 PM EDT and filed on 5/26/2006

**Case Name:** Sokolove et al v. City of Rehoboth Beach Delaware et al

**Case Number:** 1:05-cv-514

**Filer:** Citizens for Rehoboth Beach

**Document Number:** 72

### Docket Text:

STIPULATION Stipulated Consent Judgment and Order by Citizens for Rehoboth Beach. (Schiltz, Todd)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1079733196 [Date=5/26/2006] [FileNumber=220536-0]  
[7d8e431ef4dc336e977be1c3f537514368d98d125e5b0a637d31129f606b0394d1  
d40b724b1fb9c174e513bb1710f5d75820cf7b27750e28e674bf35ad79ac]]

**1:05-cv-514 Notice will be electronically mailed to:**

Daniel A. Griffith dgriffith@mdwecg.com,

Roger D. Landon rlandon@msllaw.com,

Todd C. Schiltz tschiltz@wolfblock.com

**1:05-cv-514 Notice will be delivered by other means to:**